



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

The rights of the parties in literary work, such as the opera in the instant case, are governed by the same rules as rights in other personal property. *Palmer v. DeWitt* (1872) 47 N. Y. 532, (*semble*). As any other property, a copyright may be held in trust for the true owner. See *Harms & Francis v. Stern* (C. C. A. 1915) 229 Fed. 42. Since the plaintiff was entitled to any benefits that should be secured by her co-authors, and since in equity she would be entitled to a share of the profits arising as a result of the copyright, the defendant must hold the copyright in trust for her to the extent determined by the accounting.

EMPLOYERS' LIABILITY ACTS—VIOLATION OF CHILD LABOR STATUTE AS NEGLIGENCE PER SE—RECOVERY BY PARENT.—An Ohio statute subjects those violating the Child Labor Act to a criminal prosecution. In violation of the Act, the plaintiff consented to his son being employed in the defendant's factory. Upon the death of his son, caused by an accident in the factory, the plaintiff, a beneficiary of the action, sued as administrator. *Held*, the lower court erred in not submitting to the jury the question of the parent's contributory negligence. *Star Fire Clay Co. v. Budno* (C. C. A. 6th Cir. 1921) 269 Fed. 508.

The breach of duty involved in the violation of a Child Labor Act is generally termed negligence per se. *Leathers v. Tobacco Co.* (1907) 144 N. C. 330, 57 S. E. 11; *Morris v. Stanfield* (1898) 81 Ill. App. 264; but see *Marino v. Lehmaier* (1903) 173 N. Y. 530, 66 N. E. 572. This is because the legislature fixes the age below which it considers it unsafe for a child to work in a factory. See (1903) 3 COLUMBIA LAW REV. 344. In many jurisdictions actual contributory negligence does not defeat an action by the minor. *Stehl v. Jaeger Auto. Mach. Co.* (1909) 225 Pa. St. 348, 74 Atl. 215; *Strafford v. Republic Iron Co.* (1909) 238 Ill. 371, 87 N. E. 358; *contra*, *Beghold v. Auto Body Co.* (1907) 149 Mich. 14, 112 N. W. 691. To hold otherwise would defeat the immediate purpose of the statute. A parent, however, who permits the employment of a child below the statutory age, commits a wrong which is treated as contributory negligence, barring a recovery by the parent. See *Kentucky Utilities Co. v. McCarty's Admr.* (1916) 169 Ky. 38, 42, 183 S. W. 237; *Dickenson v. Stuart Colliery Co.* (1912) 71 W. Va. 325, 76 S. E. 654, (*semble*). And unless the greater economic pressure on the parents of such children is taken into consideration, the parent seems to be *in pari delicto* with the employer. See *Kentucky Utilities Co. v. McCarty's Admr.*, *supra*, 42. If a parent's recovery in his own right is denied, it would be absurd to permit an administrator to recover for the parent's benefit. *Wolf, Admr. v. Railway* (1896), 55 Ohio St. 517, 45 N. E. 708; *cf.* *Davis v. Railroad* (1904) 136 N. C. 115, 48 S. E. 591; *contra*, *Wymore v. Mahaska Co.* (1889) 78 Iowa 396, 43 N. W. 264. But the administrator may recover for statutory beneficiaries who did not participate in the violation of the Act. See *Wolf, Admr. v. Railway*, *supra*, 537. Probably the instant case, however decided, would have little effect in securing compliance with the statute. A parent generally does not contemplate injuries to his child, and, on the other hand, a factory owner might willingly risk the payment of damages in the rare case where the employee is killed. The principal case is in accord with the weight of authority. *Kentucky Utilities Co. v. McCarty's Admr.*, *supra*; *Dickenson v. Stuart Colliery Co.*, *supra*.

INSURANCE—INSURABLE INTEREST OF VENDOR UNDER EXECUTORY CONTRACT OF SALE.—The plaintiff who was owner of a house, the insurance on which had been assigned to her, entered into a contract to sell it. Whether the purchase price had been received did not appear but before conveyance the building was destroyed by fire. In an action against the insurer, *held*, the plaintiff could not recover. *Mahan v. Home Ins. Co.* (Mo. 1920) 226 S. W. 593.